



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 2

290 BROADWAY

NEW YORK, NY 10007-1866

AUG. 13 1997

SUBJECT: Request for a CERCLA Removal Action at the Color Technology Inc. Site, Somerville, Somerset County, New Jersey. **ACTION MEMORANDUM**

FROM: Jeff M. Bechtel, On-Scene Coordinator *Bruce [signature]*
Response and Prevention Branch

TO: Jeanne M. Fox
Regional Administrator

THRU: *Richard L. Caspe*, Director *Wm. Mc Cabe*
Emergency and Remedial Response Division

Site ID No.: JP

I. PURPOSE

The purpose of this Action Memorandum is to request and document approval to conduct the time-critical removal action described herein at the Color Technology Inc. Site, 60 Cornell Boulevard, Somerville, Somerset County, New Jersey.

On May 27, 1997, the U.S. Environmental Protection Agency (EPA) received a verbal request from the New Jersey State Department of Environmental Protection (NJDEP) to perform a removal action at the Color Technology Inc. Site, in Somerville, NJ, under the provisions of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) as amended by 42 U.S.C. §9601 et. seq. The Site was operated as a paints and coatings facility. This Action Memorandum provides for site security, stabilization, inventory, sampling, analysis and disposal of all hazardous substances present on the site.

This site is not on the National Priorities List (NPL) and there are no nationally significant or precedent-setting issues associated with this site.

II. SITE CONDITIONS AND BACKGROUND

A. Site Description

1. Removal Site Evaluation

The Color Technology Inc. company manufactured paints and coatings for various applications. The site consists of two production buildings and one office building.

A preliminary assessment of the Site performed by EPA on May 27, 1997, determined that the Site contains approximately (200) 55-gallon drums, ten production vats and fourteen underground storage tanks (USTs). These containers hold various flammable liquids, paints and solvents such as toluene, acetone, methyl ethyl ketone and xylene. In addition, there are several hundred lab reagent/product sample containers. These materials are staged throughout the three buildings, the courtyard and two open box trailers. Several of the acetone drums stored outside are bulging and many of the drums are unlabeled. Fill pipes for only two of the USTs could be located and the rest are buried under gravel in the courtyard. Containers are scattered about the laboratory. A box of road flares was discovered inside the front door adjacent to several open containers of flammable liquids.

The three buildings were found to be unsecure as the doors were found to be unlocked. There is a partial fence around the property. The utilities had been shut off by the property owner. The water company was maintaining water to the fire suppression system at the request of the fire marshal, due to the large quantities of flammable materials. Information regarding the materials at the Site is based upon property owner identification and label information identified during the preliminary assessment.

2. Physical Location

The Color Technology Inc. Site is located at 60 Cornell Boulevard, Somerville, Somerset County, New Jersey. The Site occupies one quarter acre and is situated in a residential/commercial area.

Within one mile of the Site are residential areas, light industrial, commercial properties and major arterials. The 1990 census statistics within a 1/2 mile area are as follows: population is 3,670 persons, comprised of 90% white, 4% African American, 6% other, with 49% in the age group of 20 thru 49 years; median household income is \$36,305; 1,611 households comprised of 38.5% owner occupied and 61.5% renter occupied. Adding racial population statistics may not equal 100% due to individuals reporting themselves as belonging to multiple

backgrounds.

3. Site Characteristics

Site activities ceased in May 1997. The Site is situated at the end of Cornell Boulevard, where it dead-ends against the Amtrack right-of-way. It is bordered by residential properties on North and West sides. A company called Towne Labs borders the East side and an Amtrack rail line and Route 206 border the South side. The Site is partially fenced.

4. Release or Threatened Release into the Environment of a Hazardous Substance or Pollutant or Contaminant

The following hazardous substances have been identified at the Site:

Substances Identified Statutory Source for Designation as a Hazardous Substance

Acetone	CWA § 311(b)(4)
Toluene	CWA § 311(b)(4); CWA § 307(a); CAA § 112; RCRA § 3001
Xylene	CWA § 311(b)(4); CAA § 112; RCRA § 3001
MEK	CAA § 112; RCRA § 3001

These hazardous substances are acutely and chronically toxic and/or flammable.

The potential health effects from these compounds are identified below:

Potential Health and Toxicological Effects

	Liver Damage	Kidney Damage	Respiratory Damage	Dermal Effects	CNS
Acetone		X	X	X	
Toluene	X	X	X	X	X
Xylene	X	X	X	X	X
MEK			X	X	

The environmental effects posed by these materials include possible contamination of the soil, surface water and groundwater from the containers leaking or rupturing. The run-off from rain or firefighting efforts would act as a carrier to transport

contaminants from the Site and into the soil, groundwater and neighboring properties.

5. NPL Status

At the present time, the Site is not on the NPL and there are no efforts underway to include this site on the NPL.

B. Other Actions to Date

1. Previous Actions

The Site was referred to EPA by NJDEP following the tolling operators' apparent abandonment of the Site. There were no previous actions by EPA at the Site. In May of 1997, NJDEP conducted a site investigation and confirmed the presence of the materials described earlier in this memorandum.

In a meeting with the property owner on June 19, 1997, the owner indicated that the Site was being used by another company, Standard Technical Resources, from February 1996 until May 1997, under a tolling operation in which a percentage of the company's profits were paid to him. This company vacated the property. The drums of hazardous materials which are present inside of the building belong to both the property owner and the tolling company. No disposal of the materials within the building has been conducted by the property owner or the tolling company, to date.

NJDEP verbally referred the Site to EPA on May 27, 1997, with the written referral received on June 19, 1997.

2. Current Actions

On May 27, 1997, EPA conducted a preliminary assessment and determined that the Site met the criteria for a CERCLA removal action to stabilize, sample and dispose of the hazardous substances on site. On June 3, 1997, EPA mobilized START to perform a more detailed site investigation.

C. State and Local Authorities' Roles

1. State and Local Actions to Date

In May of 1997, NJDEP conducted a site investigation based upon a request of local fire officials and confirmed the presence of

hazardous materials.

On May 27, 1997, the NJDEP verbally referred the Site to EPA with a formal written referral received on June 19, 1997.

2. Potential for Continued State/Local Response

Neither the NJDEP nor the local government have the resources available to do the necessary removal action at the Site. These organizations will act in a supporting role throughout the removal action.

III. THREATS TO PUBLIC HEALTH OR WELFARE OR THE ENVIRONMENT AND STATUTORY AND REGULATORY AUTHORITIES

A. Threats to Public Health or Welfare

Hazardous substances, pollutants or contaminants presently stored at the Site represent a threat to the public health and welfare as defined by Section 300.415(b)(2) of the National Contingency Plan (NCP), in that there is an actual on-going release and there is a high potential for additional releases to occur. Many of the materials on the Site are toxic and/or flammable and present a risk of direct human contact. Many of the materials present the threat of a fire or explosion. The Site is located in a densely populated residential/commercial area and is directly adjacent to an operating business, a commuter rail line and a major highway.

An estimated 12,000 gallons of hazardous wastes are present throughout the building and are stored in an unsafe manner. The hazardous waste containers are improperly labeled and are stored without regard to compatibility. Direct human contact with the materials present at the Site, from either a chemical release, fire or vandalism, would present an immediate threat to local businesses, residents and emergency responders. Due to the vacant nature of the Site, the threat of uncontrolled releases at the facility does exist. The toxic fumes created by the uncontrolled reaction, fire, or explosion of these materials would severely impact the surrounding population, possibly necessitating the evacuation of the surrounding population and the closure of roads and arterials. Some of the materials present are unknowns, therefore, the effects of acute or chronic exposure cannot be predicted.

B. Threats to the Environment

Contamination of the soil and groundwater could occur from the containers leaking or rupturing. The runoff from rain or firefighting efforts would impact the surrounding soil and groundwater. Surface water contamination, via the storm water

swales, could impact the Raritan River.

The materials stored on site pose a threat of an air release caused by the reaction of incompatible materials, fire, or explosion, as well as the potential to contaminate nearby soils and groundwater via spills or firefighting run-off in the event of a fire.

IV. ENDANGERMENT DETERMINATION

Actual or threatened releases of hazardous substances from the Site, if not addressed by implementing the response action in this Action Memorandum, may present an imminent and substantial endangerment to public health, welfare and the environment.

V. PROPOSED ACTIONS AND ESTIMATED COSTS

A. Proposed Actions

1. Proposed Action Description

The objective of the removal action is to eliminate the threat of exposure through direct human contact caused by a release of the hazardous materials at the Site. EPA will mobilize the Emergency Response Cleanup Services contractor to the Site to complete the following:

- i. Provision and maintenance of 24-hour site security until all containerized hazardous materials have been removed from the Site.
- ii. Fence installation to secure that portion of the property containing hazardous materials which is currently not enclosed by the existing partial fence. Repairs to any damaged portions of fencing.
- iii. Provision and maintenance of the existing fire suppression system which includes the fire sprinkler system and portable fire extinguishers.
- iv. Removal of all hazardous materials from the underground storage tanks and proper off-site disposal of these materials.
- v. Stabilization and securing of vats, tanks, drums and other containers of hazardous materials.
- vi. Sampling as necessary to identify the contents of all containerized hazardous materials on-site and subsequent removal of all hazardous materials from the Site to proper off-site disposal facilities.

- vii. Decontamination of equipment and building surfaces and subsequent removal of all contaminated washwaters from the Site to proper off-site disposal facilities.
- viii. Sampling as necessary to identify and delineate the extent of surficial soil contamination, with excavation and proper off-site disposal of contaminated soil above site specific cleanup levels which will be determined by EPA upon review of the sampling results.
- ix. Transportation and disposal of all hazardous wastes in accordance with EPA's CERCLA Off-Site Disposal Policy.

The selected mode of transportation and method of disposal will be based on the analytical data. In addition, there are several

2. Contribution to Remedial Performance

The proposed action will contribute effectively to any long-term remedial action with respect to the release or threatened release of hazardous substances. This removal action is consistent with any future long-term remedial action that may be undertaken at the Site.

3. Description of Alternative Technologies

Alternative technologies will be considered so long as they prove to be cost effective and efficient.

4. Engineering Evaluation/Cost Analysis

Due to the time-critical nature of this removal action, an EE/CA will not be prepared.

5. Applicable or Relevant and Appropriate Requirements (ARARs)

ARARs, within the scope of the project, including RCRA and CERCLA regulations that pertain to the disposal of hazardous wastes, will be met to the extent practicable.

6. Project Schedule

The removal action will be initiated immediately upon approval of this action memorandum. Stabilization, overpacking, materials transferring, staging, segregating and sampling is expected to last for about eight weeks, with final disposal to occur shortly thereafter.

B. Estimated Costs

1. Extramural Costs: Ceiling

Regional Allowance Costs: \$ 300,000
(Total clean-up contractor costs include labor, equipment, materials, and laboratory disposal analysis)

Other Extramural Costs not Funded From the Regional Allowance:

Total; START, including \$ 40,000 at the multiplier costs

Subtotal; extramural costs \$ 340,000

Extramural Costs Contingency \$ 68,000
(20% of subtotal, extramural Costs)

TOTAL, EXTRAMURAL COSTS \$ 408,000
(rounded to nearest \$1,000)

Intramural Costs:

Intramural Direct Costs \$ 45,000

Intramural Indirect Costs \$ 90,000

TOTAL, INTRAMURAL COSTS \$ 135,000

TOTAL REMOVAL PROJECT CEILING \$ 543,000

VI. EXPECTED CHANGE IN THE SITUATION SHOULD ACTION BE DELAYED OR NOT TAKEN

Delayed action, or no action, could result in the release of hazardous substances into the environment, thereby exposing the nearby residents to hazardous substances and causing contamination of the soil, surface water and groundwater. As there is no security on the Site, the potential for unrestricted access to the property, due to vandalism or trespassing, could expose individuals by direct contact.

VII. OUTSTANDING POLICY ISSUES

None

VIII. ENFORCEMENT

Efforts will be made to identify any additional viable Potentially Responsible Parties (PRPs) to assume responsibility for the cost of the clean-up. The On-Scene Coordinator will work with the Removal Action Branch and the Office of Regional Counsel in negotiating with all PRPs to either conduct the removal action under an Order or to recover clean-up costs from a Federally funded action.

IX. RECOMMENDATION

This decision document represents a selected Removal Action for the Color Technology, Inc. Site, Somerville, Somerset County, New Jersey developed in accordance with CERCLA as amended, and not inconsistent with the NCP. This decision is based on the Administrative Record for the Site. Conditions at the Site meet the NCP Section 300.415(b)(2) criteria for a Removal Action.

This Action Memorandum, if approved, will authorize a total project ceiling of \$543,000, with a mitigation ceiling of \$300,000. These estimated cost for this project are within the FY-97 Regional Advice of Allowance.

Please indicate your approval of the Color Technology, Inc. Site Removal Action, pursuant to your authority delegated by Assistant Administrator J. W. Portor, May 25, 1988, Redelegation Memorandum, Delegation Number R-14-1-A.

Approved: *Jeanne M. Fox*
Jeanne M. Fox
Regional Administrator

Date: 8/14/87

Disapproved: Jeanne M. Fox
Regional Administrator

Date: _____

cc: (After approval is obtained)

J. Fox, 2RA	R. Swales, Newark OEM
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